

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

BRUCE MACDONALD, Individually and on Behalf of All Others Similarly Situated,

Plaintiff.

v.

DYNAMIC LEDGER SOLUTIONS, INC., a
Delaware corporation, TEZOS
STIFTUNG, a Swiss Foundation,
KATHLEEN BREITMAN, an
Individual, ARTHUR BREITMAN,
an Individual, TIMOTHY COOK DRAPER, an
individual, DRAPER ASSOCIATES, JOHANN
GEVERS, DIEGO PONZ, GUIDO SCHMITZ-
KRUMMACHER, BITCOIN SUISSE AG,
NIKLAS NIKOLAJSEN and DOES 1-100,
INCLUSIVE.

Defendants.

Case No. 3:17-cv-07095-RS

**[PROPOSED] ORDER GRANTING
PLAINTIFF'S *EX PARTE*
APPLICATION FOR LEAVE TO
EFFECT ELECTRONIC SERVICE
ON NEWLY IDENTIFIED
ADDRESSES FOR DEFENDANTS
JOHANN GEVERS AND DIEGO
PONZ (AKA DIEGO OLIIVER
FERNANDEZ)**

This matter comes before the Court on the application of Plaintiff Bruce MacDonald (“Plaintiff”) for an Order pursuant to Federal Rules of Civil Procedure 4(f)(3) and 4(h)(2) permitting Plaintiff to serve Defendants Johann Gevers and Diego Ponz (aka Diego Olivier Fernandez) by electronic means at additional newly identified email addresses.

Having reviewed the materials submitted and being fully advised, the Court GRANTS Plaintiff's application as follows:

1. The Court GRANTS the Application, finding that Plaintiff has shown (1) Defendants Johann Gevers and Diego Ponz (aka Diego Olivier Fernandez) are not within any judicial district of the United States; (2) service by electronic means is not prohibited by any international agreement, (3) service by the electronic means specified below comports with constitutional notions of due process and is reasonably calculated to apprise the Swiss Defendants of the pendency of the action and afford them an opportunity to respond.

2. The Court hereby orders that Plaintiff may effect service on the above-identified defendants at the following additional email addresses:

- a. Upon **Diego Ponz (aka Diego Olivier Fernandez)** by email to diegoolivierfernandezpons@gmail.com.
 - b. Upon **Johann Gevers** by email to johann@gevers.net

DATED:

The Hon. Richard Seeborg
United States District Judge

1 Presented by:

2 DATED: December 15, 2017

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